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MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer
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FROM: Christopher Hughey
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SUBJECT: Request for Commission Consideration of a Legal Question by the Michael Williams for U.S. Senate Committee (LRA 872)

I. INTRODUCTION

The purpose of this memorandum is to address a Request for Commission Consideration of a Legal Question by the Michael Williams for U.S. Senate Committee ("the Committee"), and make recommendations about how the Commission should direct the Reports Analysis Division ("RAD") to proceed with respect to this question.

Specifically, the Committee asks: "[W]hen a candidate raises funds for an anticipated special election that subsequently does not occur, must *all* funds raised in connection with that election be refunded or redesignated in writing, or is the candidate permitted to spend some or all of those funds in connection with the anticipated special election?" See Letter from Thomas J. Josefiak and Michael Bayes, Counsel to the Committee, to Commission Secretary, at 2 (Feb. 15, 2012) [hereinafter Committee Request]. We recommend that the Commission conclude that a candidate is required to refund or obtain written redesignations for contributions designated in

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